IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.24267 of 2019

V.Prakash .. Petitioner

Vs.

1.The Superintendent of Police,
Vellore, Vellore District-632 001.

2.The Inspector of Police,
Virudampet Police Station,
Katpadi Taluk,
VelloreDistrict. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to perform the program of ' Adal Padal' on 07.09.2019 at about 06.00 p.m., to 11.00 p.m, at "Sri Vinayakar Temple festival" is situated at Senur Village, Senur Post, Katpadi Taluk, Vellore District and to provide adequate police protection based on petitioner representations dated 03.09.2019.

For Petitioner : Mr.G.Satheesh
For Respondents : Mr.M.Mohamed Riyaz, APP

O R D E R

Seeking permission to conduct cultural programme in the event of "Sri Vinayakar Temple festival" is situated at Senur Village, Senur Post, Katpadi Taluk, Vellore District on 07.09.2019, the petitioner made a representation dated 03.09.2019 to the respondents. As the same has not been considered, the present Criminal Original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

4. A mere apprehension cannot be a ground to reject the

representation. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of permission being granted. In such view of the matter, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of "Sri Vinayakar Temple festival" is situated at Senur Village, Senur Post, Katpadi Taluk, Vellore District on 07.09.2019, however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Vinayakar Temple festival" is situated at Senur Village, Senur Post, Katpadi Taluk, Vellore District on 07.09.2019 between 06.00 p.m., to 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ssi/mpa

To

1.The Superintendent of Police,
Vellore, Vellore District-632 001.

2.The Inspector of Police,
Virudampet Police Station,
Katpadi Taluk,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Satheesh Advocate, S.R.No.77257

RR(CO)
CB(09/09/2019)

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